

1 STEPHANIE M. HINDS (CABN 154284)
2 Acting United States Attorney

3 HALLIE HOFFMAN (CABN 210020)
4 Chief, Criminal Division

5 NOAH STERN (CABN 297476)
6 Assistant United States Attorney

7 1301 Clay Street, Suite 340S
8 Oakland, California 94612
Telephone: (510) 637-3680
FAX: (510) 637-3724
Noah.Stern@usdoj.gov

9 Attorneys for United States of America

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 JAVIER CASTRO BANEGRAS-MEDINA,
17 JOSE IVAN CRUZ-CACERES
WILLIAM JOSEPH LAUGHREN, JR.,

18 Defendants.

20 UNITED STATES OF AMERICA,

21 Plaintiff,

22 v.

23 KENY ALDUVI ROMERO-LOPEZ,

24 Defendant.

) CASE NOS. 4:21-MJ-70900-MAG-1
4:21-MJ-70900-MAG-3
4:21-MJ-70900-MAG-8
4:21-MJ-70903-MAG

) STIPULATION TO CONTINUE STATUS
HEARINGS AND EXCLUDE TIME FROM
DECEMBER 14, 2021 TO JANUARY 24, 2022
AND ORDER (AS MODIFIED)

27 It is hereby stipulated by and between counsel for the United States and counsel for the

28 defendants, Javier Castro Banegas-Medina, Jose Ivan Cruz-Caceres, William Joseph Laughren, Jr., and

STIPULATION TO CONTINUE HEARING AND EXCLUDE TIME AND ORDER (AS MODIFIED)
Case No. 4:21-MJ-70900-MAG; 4:21-MJ-70903-MAG

v. 7/10/2018

1 Keny Alduvi Romero-Lopez that the status hearings scheduled for December 14, 2021 at 1:00 p.m., be
2 vacated and rescheduled for January 24, 2022 at 1:00 p.m. The parties further stipulate that time be
3 excluded under the Speedy Trial Act from December 14, 2021, through January 24, 2022, and, with the
4 consent of the defendants, there is good cause for extending the time limits for a preliminary hearing
5 under Federal Rule of Criminal Procedure 5.1.

6 The government has produced voluminous discovery in the cases and is continuing to make
7 productions on a rolling basis. Defense counsel needs time to review the discovery. The parties are also
8 discussing a potential resolution to the case. For these reasons, the parties request that the status
9 hearings be continued until January 24, 2022, and the government and counsel for the defendants agree
10 that time be excluded under the Speedy Trial Act, and that the deadlines under Federal Rule of Criminal
11 Procedure 5.1 be extended, so that defense counsel can continue to prepare, including reviewing the
12 discovery already produced. The parties stipulate and agree that excluding time until January 24, 2022
13 will allow for the effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties
14 further stipulate and agree that the ends of justice served by excluding the time from December 14, 2021
15 through January 24, 2022 from computation under the Speedy Trial Act outweigh the best interests of
16 the public and the defendants in a speedy trial. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

17 The parties further stipulate that, with the consent of the defendants, there is good cause for
18 extending the time limits for a preliminary hearing under Federal Rule of Criminal Procedure 5.1 and for
19 extending the 30-day time period for an indictment under the Speedy Trial Act. *See* Fed. R. Crim. P.
20 5.1; 18 U.S.C. § 3161(b).

21
22
23
24
25

26 //
27 //
28 //

The undersigned Assistant United States Attorney certifies that he has obtained approval from counsel for the defendants to file this stipulation and proposed order.

IT IS SO STIPULATED.

DATED: December 10, 2021

/s/
NOAH STERN
Assistant United States Attorney

DATED: December 10, 2021

/s/ _____
DENA YOUNG
Counsel for Defendant
JAVIER CASTRO BANEGRAS-MEDINA

DATED: December 10, 2021

/s/
SCOTT SUGARMAN
Counsel for Defendant
JOSE IVAN CRUZ-CACERES

DATED: December 10, 2021

/s/

CHARLES WOODSON
Counsel for Defendant
WILLIAM JOSEPH LAUGHREN, JR.

DATED: December 10, 2021

/s/
ALBERT BORO
Counsel for Defendant
KENY ALDUVI ROMERO-Lopez

11

11

ORDER (AS MODIFIED)

2 Based upon the facts set forth in the stipulation of the parties and for good cause shown, the
3 Court vacates the status conferences scheduled for December 14, 2021 at 1:00 p.m. relating to the above
4 captioned defendants and reschedules them for **January 24, 2022 at 10:00 a.m.** The Court further finds
5 that failing to exclude the time from December 14, 2021 through January 24, 2022 would unreasonably
6 deny defense counsel and the defendants the reasonable time necessary for effective preparation, taking
7 into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that
8 the ends of justice served by excluding the time from December 14, 2021 through January 24, 2022
9 from computation under the Speedy Trial Act outweigh the best interests of the public and the
10 defendants in a speedy trial. For the same reasons, the Court finds good cause for extending the time
11 limits for a preliminary hearing under Federal Rule of Criminal Procedure 5.1 and for extending the 30-
12 day time period for an indictment under the Speedy Trial Act. *See* Fed. R. Crim. P. 5.1; 18 U.S.C. §
13 3161. Therefore, and with the consent of the parties, IT IS HEREBY ORDERED that the time from
14 December 14, 2021 through January 24, 2022 shall be excluded from computation under the Speedy
15 Trial Act and Federal Rule of Criminal Procedure 5.1. 18 U.S.C. § 3161(h)(7)(A), (B)(iv); Fed. R. Crim.
16 P. 5.1(d).

IT IS SO ORDERED AS MODIFIED.

19 || DATED: December 13, 2021

